



NEWS

Judicial Council of California
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SUMMARY OF CASES ACCEPTED DURING THE WEEK OF MAY 30, 2000

[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The description or descriptions set out below do not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#00-62 People v. Barba, S087310. (G023877; 78 Cal.App.4th 1035.) Petition for review after the Court of Appeal remanded for resentencing but affirmed a conviction of criminal offenses. The court ordered briefing deferred pending decision in People v. Belcher, S083381 (#99-181) and People v. Jones, S072071 (#99-159) which concern the meaning of the term “single occasion” in Penal Code section 667.61, subdivision (g).

#00-63 Hamilton v. Maryland Casualty Co., S087346. (A085219; 78 Cal.App.4th 640.) Petition for review after the Court of Appeal reversed a summary judgment in a civil action. This case concerns whether, when a liability insurer rejects a reasonable settlement offer and the insured thereafter settles with the claimant without the insurer’s consent, stipulates to an excess judgment, obtains a good-faith determination and assigns its rights against the insurer to the claimant, the insurer may be held liable for the amount of the stipulated judgment in a subsequent action for bad faith refusal to settle.

#00-64 People v. Mar, S086611. (F028945; 77 Cal.App.4th 1284.) Petition for

(over)

review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. The court limited review to the issues of whether use of a stun belt on a criminal defendant during trial requires a showing of “manifest need” under People v. Duran (1976) 16 Cal.3d 282, and, if so, whether there was a proper showing for use of the belt in this case, and if there was not a proper showing, whether the use of the belt was prejudicial.

#00-65 Styne v. Stevens, S086787. (B121208; 71 Cal.App.4th 17.) Petition for review after the Court of Appeal reversed an order granting a new trial in a civil action. This case concerns whether the one-year statute of limitations of the Talent Agencies Act bars an artist from asserting the invalidity of a contract as a defense to an action brought by an agent even though the artist is not seeking affirmative relief. (See Lab. Code, § 1700.44(c).)

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